Overview:
TDLR regulates 39 licensing programs and issues more than 800,000 licenses a year for qualified people, businesses, and equipment. More than 600,000 of these TDLR licenses are held by individuals.

Criminal Background Checks
Each original license and renewal license application for an individual is subject to a criminal background check through the Texas Department of Public Safety, using the applicant’s name and date of birth. By law, TDLR runs additional fingerprint-based checks on applicants and licensees in these programs:
- Driver Education and Safety
- Hearing Instrument Fitters and Dispensers
- Professional Employer Organizations
- Speech-Language Pathologists and Audiologists
- Podiatry

TDLR’s Enforcement Division reviews each application and criminal history, if any. Applications may be denied if there are criminal convictions or deferred adjudications involving certain offenses.

Criminal History Evaluation Letter (CHEL)
Potential applicants who have a criminal history that could potentially keep them from getting a license can request a criminal history evaluation letter (CHEL) to determine whether they are a candidate for licensure before going through any vocational training for a specific profession.

To request a CHEL, individuals submit a request form, complete a criminal history questionnaire for each crime for which they were convicted or placed on deferred adjudication, and pay a $25 fee. TDLR Enforcement staff reviews the requestor’s criminal convictions, deferred adjudications, and any other aspect of their criminal history, including court records and police records. Staff may also interview the requestor and any other person with knowledge of the requestor’s criminal background.

TDLR issues the CHEL within 90 days of receiving a complete request. The letter states whether the department would or would not recommend granting a license to the requestor, based on all the information available at that time.

The letter is intended only to provide guidance and information in assisting an individual in making an informed decision about whether to pursue a license. A recommendation in a CHEL is not binding on the department if the requestor later applies for a license. TDLR may view the requestor's criminal background differently at the time the requestor actually applies for a license due to a change in the requestor’s circumstances, the discovery of additional information, or a change in TDLR policies relating to the criminal backgrounds of applicants.

If a requestor believes he or she should be granted a license despite TDLR's recommendation to the contrary, the requestor may apply for the license at any time and will be subject again to a full investigation of their criminal background. If, after the requestor applies for an actual license, TDLR then recommends denying the license, the requestor may ask for a hearing at the State Office of Administrative Hearings (SOAH). The final decision following a SOAH hearing will be made by the Texas Commission of Licensing and Regulation.

Criminal Conviction Guidelines
TDLR uses guidelines presented in Chapter 53 of the Texas Occupations Code to determine whether a criminal conviction renders an applicant as an unsuitable candidate for a license, or whether a conviction warrants the revocation or suspension of a license that was previously issued.

The guidelines present the general factors that are considered in all cases, and the reasons why particular crimes relate to each type of license issued by TDLR. In deciding whether to seek to deny a license the following factors are considered:
- The nature and seriousness of the crime;
- The relationship of the crime to the occupation requiring a license;
- The extent to which a license might offer an opportunity to engage in further criminal activity;
- The relationship of the crime to the ability, capacity, or fitness required to perform the duties of the licensed occupation.

For more information, please contact the TDLR Office of Strategic Communication: media.inquiries@tdlr.texas.gov.
In determining the applicant’s fitness, TDLR will consider:

- The extent and nature of the person’s past criminal activity;
- The age of the person when the crime was committed;
- Time that has elapsed since the person’s last criminal activity;
- The conduct and work activity of the person before and after the criminal activity;
- Evidence of the person’s rehabilitation or rehabilitative efforts; and
- Evidence of the person’s fitness, including letters of recommendation from prosecutors, law enforcement, correctional officers, and any other person in contact with the applicant.

Making a Determination

Guidelines are not intended to be an exclusive listing. After due consideration, TDLR may find that a conviction not included in the guidelines renders a person unfit to hold a license. Multiple violations of any criminal statute will always be reviewed, for any license type, because they may reflect a pattern of behavior that renders the applicant unfit for the license.

There is no specific crime that results in the automatic denial of a license, but certain crimes are more likely to result in the department recommending a denial. There are two general categories of crimes that TDLR must seriously evaluate and consider before a decision can be made:

- Crimes that relate to the occupation and have a victim of some type. For example, someone was hurt in some manner or had something stolen from them. This is in keeping with one of the Department’s main goals when issuing licenses: protecting the citizens of Texas.
- Any crime that is a felony or state jail felony and could result, or has resulted, in an applicant being incarcerated. This is because Chapter 53 of the Texas Occupations Code states that no one who is incarcerated in a felony penal institution may hold a license.

Although the majority of crimes that would result in a denial fall into these two main categories, TDLR can deny for any conviction, deferred adjudication or other information that indicates a lack of honesty, trustworthiness, or integrity to hold a license.